

DID YOU KNOW?

“Good Samaritan Law”

Property Rights of Non-Owners of Real Property (FAQ)

As a person who is not the owner of real property, you have certain rights and abilities to enter upon the premises of a property you suspect to be vacant or abandoned. Although not the owner of the property, pursuant to Indiana law, you do possess *limited* authority and immunization from liability to enter vacant or abandoned property.

Q. Under what conditions may I enter the property as a non-owner of the property?

A. If you believe the property to be vacant or abandoned, you may enter to perform limited duties with respect to upkeep of the property.

Q. May I enter the structures on the property?

A. No, you may only enter the property itself and not the structures on the property.

Q. Whom do I notify if I believe a property to be vacant or abandoned?

A. Notify the appropriate enforcement authority and request inspection of the suspected property to determine whether it is in fact vacant or abandoned.

Q. What work may I perform if the property is vacant or abandoned?

- A. You may do any of the following:
1. Secure the real property.
 2. Remove trash or debris from the grounds of the real property.
 3. Landscape, maintain, or mow the grounds of the real property.
 4. Remove or paint over graffiti on the real property.

Q. Can I be reimbursed for any upkeep charges I incur during the redemption period if the property is redeemed?

A. No, any fees incurred from property upkeep cannot be reimbursed.

Q. What charges might I receive from the city if no one is maintaining the property?

A. The property may incur nuisance liens up to, and including, boarding, repair orders, high weeds and grass, and trash.

Q. What liability do I have if I enter the property as a non-owner of the real property?

A. If you choose to enter upon the real property, and perform any work, you are immune from civil liability for an act or omission related to the entry, unless it constitutes gross negligence or intentional misconduct. Additionally, you will not be held liable for any claims or civil or criminal trespass.

To further learn about your rights, please consult Indiana Code 34-30-26
Or visit <http://www.in.gov/legislative/ic/2010/title34/ar30/ch26.pdf>.

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